

UNITED STATES DISTRICT COURTS OFFICE
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 03-cv-12349-PBS

**BRYAN BARTLETT and ELIZABETH
BARTLETT, Individually and as Mother
and Next Friend of ANGELA L. BARTLETT,
BRYAN K. BARTLETT, JR., AND,
CHRISTOPHER C. BARTLETT,
Plaintiffs**

2005 FEB 14 P 4:05
U.S. DISTRICT COURT
DISTRICT OF MASS

v.

**DANIEL O'CONNELL'S SONS, INC.,
Defendant**

**JOINT MOTION FOR ENLARGEMENT OF TIME
FOR PROCEDURAL DEADLINES**

The parties to the above-captioned action respectfully request that the Court enlarge the time for certain procedural deadlines, which are currently set to expire on the dates noted below under the column "Old Date". The parties propose that the deadlines be enlarged for a modest period of time (approximately 2 months). The parties respectfully request that the procedural deadlines be amended as follows:

EVENT	OLD DATE	NEW DATE
Fact discovery deadline	February 28, 2005	April 29, 2005
Plaintiff's expert designation deadline	March 30, 2005	May 27, 2005
Defendant's expert designation deadline	April 29, 2005	June 30, 2005
Expert discovery deadline	June 15, 2005	August 19, 2005
Summary Judgment motions filing deadline	June 28, 2005	August 30, 2005
Oppositions to Summary Judgment Motions	July 28, 2005	September 21, 2005
Case to be referred to Mediation program	Spring, 2004	Summer, 2005

As grounds for this Motion, the parties state that they have been diligently working on discovery, but that more time is needed to schedule depositions and to supplement document responses. Specifically, the parties would like to continue the deposition of plaintiff Bryan Bartlett, presently scheduled for February 15, 2005, to April 6, 2005, and would like to continue the deposition of Daniel O'Connell's Sons, Inc. (pursuant to Fed. R. Civ. P. 30(b)(6)), presently scheduled for February 17, 2005, to April 8, 2005. As the parties anticipate that additional depositions may be necessary after the above noted depositions take place, the parties request a modest amount of additional time to schedule and complete those anticipated depositions. Furthermore, as the parties anticipate that they may supplement their document responses, they require a modest amount of additional time to review those documents and schedule any additional depositions that may be necessary after the supplemental production.

In order to complete discovery, therefore, the parties are requesting a modest enlargement of time of the procedural deadlines. No trial date has been set and no Final Pre-Trial Conference has been held. No party will be prejudiced by the allowance of this Joint Motion. Indeed, all parties will benefit from its allowance.

WHEREFORE, the Plaintiffs and the Defendant to this action hereby respectfully request that the Court allow this Joint Motion for Enlargement of Time for Procedural Deadlines.

Respectfully submitted,

BRYAN BARTLETT and ELIZABETH
BARTLETT, Individually and as Mother
and Next Friend of ANGELA L.
BARTLETT, RYAN K. BARTLETT,
JR., AND, CHRISTOPHER C.
BARTLETT,

By their attorney,

Nicholas S. Guerrera (w/permission
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Dated:

Respectfully submitted,

DANIEL O'CONNELL'S SONS, INC.,

By its attorneys,

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Dated: February 11, 2005